

AMENDMENTS TO THE CLAIMS

This listing of claims will replace all prior versions, and listings, of claims in the application:

1. (original) A device for the detection of the presence or absence of an analyte in a fluid sample comprising a backing with a first end (A) and a second end (B) and consecutively going from first end (A) to second end (B):

- (a) a sample receiving section attached to one side of the backing;
- (b) an analyte detection section attached to said one side of the backing comprising a capture site;
- (c) an absorption section attached to said one side of the backing;
- (d) a reaction section;

wherein the sample receiving section is in fluid contact with the analyte detection section, which is in fluid contact with the absorption section and wherein there is no fluid contact between the reaction section and any of the other sections.

2. (original) Device according to claim 1 wherein the reaction section comprises

- (a) particles bound and/or conjugated to a binding particle, and/or
- (b) pre-treatment compounds.

3. (currently amended) Device according to ~~anyone of the preceding claims~~ claim 1 further comprising a member covering part or all of the sample receiving section, the analyte detection section, the absorption section and/or the reaction section.

4. (currently amended) Device according to ~~anyone of the preceding claims~~ claim 1 wherein the reaction section is located on said one side of the backing or opposite to said one side of the backing or enclosing second end (B) of the backing.

5. (currently amended) A method for detecting an analyte in a fluid sample comprising providing a device as in claim 1, and thereafter performing the steps of:

(a) contacting the reaction section present at the second end (B) of the device of ~~claims 1 to 4~~ with the fluid sample for a period of at least 10 seconds to 10 minutes;

(b) removing the reaction section present at the second end (B) of the device of ~~claims 1 to 4~~ from the fluid sample;

(c) contacting the first end (A) of the device of ~~claims 1 to 4~~ claim 1 with the fluid sample for a period of at least 1 to 10 minutes; and

(d) detecting the analyte by observing the capture site of the device of ~~claims 1 to 4~~ claim 1.

6. (currently amended) Method according to claim 5 wherein step (a) comprises ~~is performed with~~ stirring the device of ~~claims 1 to 4~~.

7. (currently amended) Method according to ~~any one of claims 5 to 6~~ claim 5 wherein the analyte to be determined is a β -lactam antibiotic.

8. (currently amended) Method according to ~~any one of claims 5 to 7~~ claim 5 wherein the fluid in which an analyte is to be determined is a fluid obtainable from an animal or human body.

9. (currently amended) Kit suitable for the determination of an analyte in a fluid comprising a device according to ~~any one of claims 1 to 4~~ claim 1 and optionally a thermostatic device, with the aid of which test samples can be kept at a pre-set temperature.

10. (currently amended) Use of a device according to ~~any one of claims 1 to 4~~ claim 1 for the determination of the presence or absence of an analyte in a fluid sample